



*“Working Together to Make Trade Work”*

## **OUTREACH March 4, 2013**

**Thank you for your membership in and work with NAEGA**

### **Please Register Now for the NAEGA Annual Meeting!**

#### **Member participation opportunity:**

- NAEGA Committee Meetings
- USDA/APHIS Webinar on Phyto Export Database – Wednesday, March 6, 2013
- President’s Export Council Public Meeting – Tuesday, March 12, 2013
- CFIA Meeting with Stakeholders on Canada SPS Issues – Tuesday, March 26, 2013
- FGIS Regional Workshop – New Orleans – Tuesday, April 9, 2013
- 2013 Membership Dues

#### **Action Reports**

- NAEGA Co-Chairing Task Forces on TPP & TTIP
- EU, Letter to USTR Supporting US-EU FTA

#### **New Issues**

- Canada, CFIA Releases Grain Import Consultation Framework
- Impact of Budget Sequestration on U.S. Trade
- President Obama Releases 2013 Trade Agenda
- FDA International Food Safety Capacity-Building Plan

#### **NAEGA Calendar and Member Notices**

- Upcoming events and notices for members

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### **Tom Hammond – 1952-2013**

NAEGA Board of Directors Chairman and Columbia Grain President & CEO Thomas J. Hammond passed away from a sudden illness at the age of 60 on Thursday, February 14, 2013. Tom became a member of the Board on December 6, 2001. He became a Vice Chairman in 2007 and was elected Chairman of the Board on February 22, 2012.

A celebration of Tom’s life for family, friends and business associates will be held at the Portland Golf Club, 5900 SW Scholls Ferry Rd. Portland, Oregon on March 9 from 4:00 to 7:00 pm.

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Tom’s Family has requested that memorial donations be made in his name to the Lung Cancer Research and Treatment Program at the Oregon Health & Science University Knight Cancer Institute. To make a gift online, please visit [www.cancer.ohsufoundation.org](http://www.cancer.ohsufoundation.org)

The Columbia Grain Portland office is conveying to the family any cards, packages and personal notes it may receive. Please contact Annalise Bischel at [abischel@columbiagrains.com](mailto:abischel@columbiagrains.com), for additional questions.

### **Please Register Now for the NAEGA 2013 Annual Meeting!**

We look forward to seeing you in San Francisco in March! The 2013 NAEGA Annual Meeting will take place on Monday, March 18, 2013 at the [Westin St. Francis Hotel](#) in San Francisco, California. NAEGA’s meetings will begin at 12pm with a Member’s Luncheon, and USDA Undersecretary for Farm and Foreign Agricultural Services Darci Vetter has been confirmed as guest speaker. The schedule of events and meeting agendas are available on the [NAEGA Meeting website](#). Please let us know if you are attending by registering for the meetings [through this link](#).

The meetings will coincide with the March 17-19 2013 National Grain & Feed Association (NGFA) Convention, and there will be a joint NGFA-NAEGA Grades Committee Meeting from 1pm-3pm on Sunday, March 17.

A special one-day NAEGA registration rate of \$275 is available for the NGFA meetings and banquet on March 19, and a [registration form for NGFA’s convention is available here](#). NGFA’s block of rooms at the Westin St. Francis is no longer available, but rooms can be booked at the hotel’s regular rates [through this link](#). If you need assistance finding a room, please contact the NAEGA office. All of the above information has been posted to the [NAEGA Member’s Only Page](#). Please let us know your plans for the meetings as soon as you can!

### **NAEGA member participation opportunity:**

**NAEGA Contract Committee Meeting Conference Call** – NAEGA’s Contracts Committee has scheduled a meetings via conference call for March 5, 2013 at 2pm Eastern, 1pm Central, 11am Pacific.

An agenda for the meeting and supporting documents are available on the [Contracts Committee Webpage](#). The Biotech & Grades & Inspections Committees have already held their calls, and the agendas and supporting documents can be found on their respective websites on the [NAEGA](#)

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[Member’s Only webpage](#). Each of the committees is planning to report to at the Board of Directors meeting on March 18 in San Francisco.

If you would like to take part in the call, please contact the NAEGA office as soon as possible.

**USDA/APHIS Holding Webinar on Phyto Export Database** – USDA Animal & Plant Health Inspection Service’s (APHIS) Plant Protection & Quarantine (PPQ) Export Services will host an hour-long webinar on March 6, 2013 from at 2pm Eastern to introduce the new system features of the Phytosanitary Export Database (PExD). PExD is PPQ’s repository of foreign countries phytosanitary import requirements for U.S. origin commodities. PPQ notes that organizations that plan on calling in should include employees that work with the Phytosanitary Issuance and Tracking (PCIT)/PExD system. Details on how to take part in the webinar [are available here](#).

**President’s Export Council Public Meeting** – The President's Export Council (PEC) will hold a public meeting on March 12, 2013 at 9:30am Eastern time to deliberate on recommendations related to promoting the expansion of U.S. exports. Topics are likely to include two focal points of NAEGA priority and leadership:

1. To establish a **rapid response mechanism for sanitary and phytosanitary issues** in the Trans-Pacific Partnership Agreement
2. **U.S.-Canada trade facilitation**

The public is invited to submit written statements and comments to the PEC by March 8, 2013. More details on the meeting, including how to submit comments for consideration, [are available here](#). The PEC meeting will be broadcast via live webcast on the Internet at <http://whitehouse.gov/live>.

**CFIA Meeting with Stakeholders on Canada SPS Issues – Tuesday, March 26, 2013**– The Canadian Food Inspection Agency (CFIA) will hold a meeting on March 26, 2013 meeting with U.S stakeholders on how they plan to regulate imports of grains and oilseeds to manage phytosanitary risks (see [“New Issues and Opportunities for NAEGA Actions”](#) below). A final time for the meeting has not been set, but the meetings will take place in the Canadian Embassy Theatre at 501 Pennsylvania Avenue, NW, Washington, DC. If you would like to attend the meeting, please contact the NAEGA office for more information.

**FGIS / Industry Regional Workshop – New Orleans – Tuesday, April 9, 2013** – A NAEGA regional Industry and Federal Grain Inspection Service (FGIS) has been scheduled for Tuesday, April 9, 2013. The 12:00 to 17:00 central time workshop will, space permitting, be held at the FGIS field office in Destrehan, LA. An agenda for the meeting is being developed and a formal invitation to members will be sent in the coming weeks.

The workshop is a continuation of series of workshops at export port locations which are intended to expand understanding and identify needs related to U.S. Official grain inspection. The workshops have proven to be an excellent venue for direct interaction with FGIS leadership and local personnel. All NAEGA member companies are welcome to attend these Workshops.

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Another FGIS / Industry Regional Workshop is being planned for later this year in the Pacific Northwest.

**2013 Membership Dues** – Thank you for renewing your investment in NAEGA! Your Association needs your company’s many contributions to the ongoing success of NAEGA. Invoices for NAEGA’s 2013 Membership Dues have been mailed and payment is now due. If you have not already paid your dues, please submit payment as soon as possible. If you have any questions, please contact the NAEGA office.

*Full Details on Upcoming Events can be found in the [Meetings & Events Section of the NAEGA Member’s Only Page](#) and the [Personal Pages Website](#)*

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## **Reports on NAEGA actions**

**NAEGA Co-Chairing Task Forces on TPP & T-TIP** – NAEGA President Gary C. Martin is co-Chair, along with Bill Westman of the American Meat Institute, of two task forces related to negotiation of two free trade agreements of potentially high impact to our industry. Both task forces; the Food & Agriculture Task Force of the U.S. Business Coalition for the Trans-Pacific Partnership (TPP) and the Food & Agriculture Task Force for the newly formed U.S. Business Coalition for the Transatlantic Trade, which will focus on the Transatlantic Trade & Investment Partnership (T-TIP), are expected to be very active over the next 12 months. The effort will include regular meetings to include U.S. government negotiators and international outreach. Having met in both January and February, the next TPP and T-TIP are planned for March 22 in D.C. Task force actions will be tracked on the [NAEGA Members page](#) and the [NAEGA Personal Pages Website](#).

**EU, Letter to USTR on U.S-EU Trade Agreement** – NAEGA has joined with a collation of agricultural trade associations in submitting a letter to U.S. Trade Representative (USTR) Ron Kirk regarding the recently announced negotiations with the EU on a transatlantic free trade agreement (FTA). The letter commends USTR for insisting on a “comprehensive and ambitious” FTA and encourages USTR to tailor the FTA to fit the model developed for the Trans-Pacific Partnership (TPP), with negotiations that cover all significant trade barriers in a single comprehensive agreement.

The letter notes that making critical, long-term decisions on trade barriers should be the goal of the FTA. While the U.S-EU High Level Working Group (HLWG) suggested that an agreement “... should be designed to evolve over time – i.e., substantially eliminate existing barriers to trade and investment, while establishing mechanisms that enable a further deepening of economic integration,” the letter stresses that this passage should not be used as a means of avoiding critical decisions in certain areas.

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The letter notes that the HLWG Report is devoted to dealing with regulatory issues, sanitary and phytosanitary (SPS) and other non-tariff barriers, especially the recommendation to negotiate an ambitious “SPS-plus” chapter based on science and international standards. U.S. stakeholders have some concerns that EU leaders are not serious about addressing SPS-concerns. The letter stresses that SPS issues must be specifically addressed as part of the negotiations, not simply left to some future consultative mechanism, and SPS provisions must be enforceable. Unscientific measures have become the most challenging barrier to U.S. food and agricultural exports to the EU and must be removed as part of any FTA.

The letter also expresses concern that some EU officials may try to further protectionist measures already in place. As an example, there may be a push to use the FTA as a way to restrict the use of names that are commonly used for many products. Geographical indications (GIs) are a legitimate form of intellectual property, and the U.S. already provides the same robust protection avenue for GIs that is available to other trademark holders. The proposed U.S.-EU FTA should not be used to legitimize this and other such protectionist measures.

The letter notes that the signatories welcome President Obama’s decision to pursue an ambitious, high-standard Transatlantic Trade and Investment Partnership and that a comprehensive and ambitious U.S.-EU FTA will generate economic growth, reduce market volatility, and create thousands of new jobs on both sides of the Atlantic. The full text of the letter has been published to the “[Public Comments and Policy Statements](#)” of the NAEGA public website.

**NAEGA is considering making comments on the following items. Please contact us with your advice or suggestions:**

### **2013**

**TBD** – Comments to the Canadian Food Inspection Agency (CFIA) on draft directives D-12-05: [http://www.naega.org/images/pdf/CFIA\\_Draft\\_D-12-05.pdf](http://www.naega.org/images/pdf/CFIA_Draft_D-12-05.pdf)

### **March**

**8** – Comments to the President’s Export Council for Public Due for Consideration at the March 12, 2013 Public Meeting: <http://www.gpo.gov/fdsys/pkg/FR-2013-02-25/pdf/2013-04381.pdf>

**29** – Comments Due to USDA/APHIS on Preliminary Decision for an Extension of a Determination of Nonregulated Status for Corn Genetically Engineered for Herbicide Tolerance: [http://www.aphis.usda.gov/brs/fedregister/09\\_06301p\\_fr\\_ext\\_noa.pdf](http://www.aphis.usda.gov/brs/fedregister/09_06301p_fr_ext_noa.pdf)

### **April**

**29** – Comments Due to USDA/APHIS on Petition for a Determination of Nonregulated Status for Dow Soybean Genetically Engineered for Insect Resistance: [http://www.aphis.usda.gov/brs/fedregister/12\\_27201p\\_fr\\_noa.pdf](http://www.aphis.usda.gov/brs/fedregister/12_27201p_fr_noa.pdf)

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**29** – Comments Due to USDA/APHIS on Petition for a Determination of Nonregulated Status for Syngenta Soybean Genetically Engineered for Herbicide Tolerance:

[http://www.aphis.usda.gov/brs/fedregister/12\\_21501p\\_fr\\_noa.pdf](http://www.aphis.usda.gov/brs/fedregister/12_21501p_fr_noa.pdf)

**29** – Comments Due to USDA/APHIS on Petition for a Determination of Nonregulated Status for Maize Genetically Engineered for Herbicide Tolerance and Insect Resistance

[http://www.aphis.usda.gov/brs/fedregister/11\\_24401p\\_fr\\_noa.pdf](http://www.aphis.usda.gov/brs/fedregister/11_24401p_fr_noa.pdf)

## **May**

**16** – Comments due to FDA on the proposed rule for hazard analysis and preventive controls for human food: [http://www.ofr.gov/OFRUpload/OFRData/2013-00125\\_PI.pdf](http://www.ofr.gov/OFRUpload/OFRData/2013-00125_PI.pdf)

**16** – Comments due to FDA on the proposed rule for hazard analysis and preventive controls for produce: [http://www.ofr.gov/OFRUpload/OFRData/2013-00123\\_PI.pdf](http://www.ofr.gov/OFRUpload/OFRData/2013-00123_PI.pdf)

*NAEGA Actions on Current Issues are tracked on both the Member’s Only Section under their relevant committee pages and the on the Personal Page’s site. Updates to tracked issues are posted in this section.*

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## **New Issues & Opportunities for NAEGA Consideration**

**Canada, CFIA Releases Grain Import Consultation Framework** – The Canadian Food Inspection Agency has released an import consultation framework, detailing how they plan to regulate imports of grains and oilseeds to manage phytosanitary risks associated with import. CFIA’s proposed Grain Phytosanitary Regulations, also known as D-12-05 ([available here](#)), were scheduled to be implemented in December 2012. As we reported in the November, 19, 2012 edition of OUTREACH, feedback from NAEGA, other stakeholders and U.S. government delayed implementation indefinitely to allow for more time to define, communicate and consider the impact, including precedent that may be set and unintended consequences that may result from regulations. CFIA then embarked on enhanced consultations with stakeholders to understand grain trade practices and handling processes to better strike a balance between mitigating phytosanitary risk to Canada and minimizing potential trade disruptions.

Based on stakeholder input, CFIA has developed a three-part strategy to address concerns regarding proposed phytosanitary requirements for imports of grain to Canada.

- 1. Re-design scope and risk profile** – CFIA is evaluating the risk associated with individual crops kinds as opposed to general field crop approach used for initial assessment to determine: what degree of mitigation or type of grain processing method could reduce the risk to an acceptable level. CFIA is working closely with a wide range of industry stakeholders and bilaterally with USDA/APHIS to gather more information on grain import

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trade flows, volumes, and grain handling practices in the U.S. This information will be used by the CFIA to support risk management decisions related to grain commodities imported from the U.S. and their end uses in Canada.

2. **Enhanced stakeholder outreach** – CFIA Developed a 5-step Stakeholder Outreach Plan:
  - 1) On-going public consultations on draft directives, allowing for comments to be considered.
  - 2) An industry led survey questionnaire is being delivered to major Canadian grain importers and processors with a report due by March 31, 2013.
  - 3) The CFIA will be consulting directly with stakeholders through site visits to understand grain and oilseed trade practices and handling processes in order to refine proposed risk mitigating options. These visits will be taking place during March 2013.
  - 4) CFIA will be hosting a Grains Biosecurity Symposium in Ottawa, March 19, 2013 to inform and bring together diverse stakeholders and run facilitated discussions to obtain informed feedback to assist the CFIA in refining the phytosanitary requirements for grain imports, where possible.
  - 5) Industry is planning a workshop in conjunction with the CFIA Symposium to further the discussion on grain handling practices and processes.
  
3. **Re-circulating final drafts of the directives for consultation/comments** – At the conclusion of the first 2 steps, updated drafts of directives will be circulated to an extensive list of stakeholders. A significant comment period on the updated draft directives will be open to receive feedback from Canadian and international stakeholders and the comments received will be considered within CFIA and evaluated in concert with the information prepared by the CFIA and the industry led questionnaire and also compare with what was observed during site visits and heard during the symposium and industry workshop. Final directives will be published on CFIA website and requirements notified through the World Trade Organization and the new requirements will be implemented, no sooner than six-months after final publication.

CFIA is working with NAEGA and others on a March 26, 2013 meeting between CFIA and U.S stakeholders on this issue. A final time has not been set, but the meetings will take place in the Canadian Embassy Theatre at 501 Pennsylvania Avenue, NW, Washington, DC. We will notify members when the details on the meeting have been finalized, and the full CFIC plan framework [is available here](#) and has been posted to the [NAEGA Grades & Inspections Committee](#) page and the [NAEGA Personal Pages Website](#).

**Impact of Budget Sequestration on U.S. Trade** – The U.S. budget sequestration took effect on March 2, 2013, initiating large spending cuts across the federal government. Officials say that within the next 30 days there could be drastic effects on a broad range of customs and trade functions, from longer cargo processing times to delays in trade negotiations. There appears to be no imminent solution to the budget impasse that led to the sequestration, and there is no timetable for when things will return to normal.

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NAEGA is monitoring potential actions that might impact grain and oilseed exports from the U.S. Randall D. Jones deputy administrator of the Federal Grain Inspection Service (FGIS) indicated that the sequestration will not impact the daily operations of grain inspection and weighing services. The only impact will be on parts of FGIS that provide support to the inspectors, such as the National Grain Center and others who operate under appropriated funds.

Additional effect of Sequestration that may impact trade include:

- The Office of the U.S. Trade Representative (USTR) reports that the sequester will require USTR to cut staff, leading to a reduced ability to “engage with trading partners in negotiations for Trans-Pacific Partnership, a bilateral free trade agreement with the European Union, and plurilateral pacts to further liberalize trade in services and high-tech goods.” USTR also reports that it may no longer have the funding to initiate new legal disputes, which would result in reduced enforcement of trade agreements.
- The Department of Homeland Security (DHS) will begin to furlough U.S. Customs and Border Protection (CBP) officers who staff ports of entry to the U.S., reduce overtime and eliminate hiring to backfill positions. As a result, on the U.S.-Mexico border delays could stretch “up to five hours, functionally closing these ports during core hours.” Seaports will see delays in container examinations increase to up to five days, possibly resulting in increased costs to the trade community and reduced availability of consumer goods and raw materials, and mid-sized and smaller ports will experience constrained hours of operation.

CBP has created three specific web pages to address how Sequestration will impact its operations:

[CBP Cargo Priorities under Sequestration](#)

[Frequently Asked Questions: Impacts to Travel and Trade during Sequestration](#)

[Questions and Responses Regarding the Impact of Sequestration on Imports](#)

- Other federal agencies with trade-related functions have previously said the sequester will have a major impact on them as well by limiting their ability to conduct export license verification checks, engage in trade enforcement, compliance and market access activities, inspect foreign and domestic food facilities, and handle large volumes of air cargo traffic.

**President Obama Releases 2013 Trade Agenda** – U.S. President Barack Obama has released his 2013 Trade Policy. The President pledges to work with Congress on new fast-track negotiating authority, pursue the conclusion of trade negotiations such as the Trans-Pacific Partnership (TPP), and launch and explore new trade negotiations such as the U.S-EU Free Trade Agreement. The President’s report also notes that the administration will explore the potential for “plurilateral negotiations related to trade in agricultural products derived from new technologies.”

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The annual report, released by the Office of the U.S. Trade Representative (USTR), says the U.S. will launch negotiations with the European Union this year. The report also highlights the administration's commitment to enforcing U.S. rights in the World Trade Organization and under the free trade agreements the U.S. has in place with Colombia, Panama and Korea. Highlights from the report include:

- **Trans Pacific Partnership** - The administration will work with TPP partners this year to bring the negotiations “towards an ambitious conclusion”, with a goal of completing negotiations this year.
- **WTO Negotiations** - The United States is determined to advance market-opening measures that have the highest potential for timely and significant results. The U.S. will continue to lead efforts to negotiate a multilateral trade facilitation agreement, which is one of the issues on which WTO members are aiming to reach a deal by the Bali meeting.
- **Plurilateral services agreement** – The U.S. is pursuing a plurilateral services agreement with selected WTO members and pledges that the U.S. will continue to play a leading role in the expansion of the Information Technology Agreement. In addition, the report says the U.S. plans to continue to promote and strengthen the WTO committees, working groups and the dispute settlement mechanism.
- **Trade enforcement** – The administration wants to ensure that the U.S. gets the full benefits of bilateral FTAs with Korea, Colombia and Panama as well as from the WTO agreements. The U.S. will engage with these partners through consultations and other means necessary to ensure that they uphold their commitments, including those related to agricultural market access and the application of science-based sanitary and phytosanitary standards (SPS) to U.S. agricultural exports.
- **Localized Barriers to Trade** – The administration will step up its effort to combat localization barriers to trade, measures designed to protect, favor or stimulate domestic industries, service providers and/or intellectual property providers at the expense of foreign competitors. USTR’s Task Force on Localization Barriers to Trade will take the lead on this issue. The goal of the task force is to raise the profile of the localization issue within the U.S. government and forge a common position among agencies so that U.S. officials can engage trading partners with a coordinated message. The problem of localization barriers has prevailed in countries including but not limited to China, India, Brazil and Argentina.

The 2013 Obama Administration Trade Policy Agenda is available for download on [the USTR web site](#).

**FDA International Food Safety Capacity-Building Plan** – The U.S. Food & Drug Administration (FDA) has developed a comprehensive plan to expand the technical, scientific, and regulatory food safety capacity of foreign governments and their respective food industries in countries that export foods to the United States. The plan was a requirement of the Food Safety & Modernization Act (FSMA)

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This plan provides a strategic framework for FDA’s international food safety capacity-building activities. It outlines goals, objectives, and key actions that will provide a framework for the FDA in setting priorities and managing international food safety capacity building programs. The plan will also enable all stakeholders to see the breadth of food safety capacity-building efforts on the part of FDA. It charts a direction for how FDA will prioritize its capacity-building efforts based on risk, coordinate with other partners to avoid duplication of efforts, and to broaden the reach of technical assistance and capacity-building efforts. FDA will use data to develop strategies, allowing the agency to make decisions about capacity-building based on identifiable needs, while also allowing the agency to measure the impact of its efforts.

The plan’s key goals and objectives are:

- Ensure efficiency across the FDA Foods and Veterinary Medicine Program
- Increase effectiveness through evidence-based decision making
- Support the exchange of information between FDA and other foreign government agencies or other entities
- Enhance technical assistance and capacity-building in food

The full text of the International Capacity Building Plan is available at [FSMA International Capacity Building](#) of the FDA website.

*If you would like more information or wish to provide comments on any of these news topics monitored by NAEGA, please contact us.*

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## **NAEGA Calendar & Member Notices**

### **March**

**5** – NAEGA Contracts Committee Conference Call – 2pm Eastern, 1pm Central, 11am Pacific

**6** – USDA/APHIS Plant Protection & Quarantine (PPQ) Export Services Webinar - 2pm Eastern, 1pm Central, 11am Pacific

**12** - President’s Export Council Public Meeting – Available to view online at <http://whitehouse.gov/live>

**17-19** – San Francisco, California – NGFA Annual Convention

**18** – San Francisco, California – NAEGA Annual Meetings

**22** – Washington, DC – U.S. Food & Agriculture Task Force Meeting with U.S. Government – 9:30am, U.S. Chamber of Commerce

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**26** – Washington, DC – Canadian Food Inspection Agency Meeting with U.S. stakeholders on Canadian SPS Measures for Grain Exports – 12:00pm, Canadian Embassy

#### **April**

**8-12** – Rome, Italy – Meeting of the Commission on Phytosanitary Measures (CPM) of the International Plant Protection Convention (IPPC)

**9** – New Orleans, Louisiana – NAEGA-FGIS Regional Workshop

**11-13** - Gdansk, Poland – Dry Bulk Terminals Group Operations Meeting. Topics for discussion include the International Convention for the Prevention of Pollution from Ships (MARPOL) Annex V and reporting for the International Maritime Organizations (IMO) Sub-Committee on Dangerous Goods, Solid cargoes and Containers meeting (DSC 18) on the status of ports and terminals having adequate reception facilities and the number of requests for and acceptance of cargo residues – Jerry Cotter Attending

#### **November**

**12-15** – Lisbon, Portugal - 6th International Conference on Coexistence between Genetically Modified (GM) and non-GM based Agricultural Supply Chains: [www.gmcc13.org](http://www.gmcc13.org)

#### **Member Notices**

**The New NAEGA.org** – NAEGA’s public website at [www.NAEGA.org](http://www.NAEGA.org) has been redesigned and launched as of June 18, 2012. The new NAEGA.org features a more user-friendly interface, a better search engine, and integration with the NAEGA Personal Pages website. The new site also features social media tools for sharing public NAEGA actions on a wider scale. NAEGA accounts have been established at LinkedIn and Twitter, and stories on the public site can be shared on Google Plus. NAEGA members and staff should take the opportunity to enhance their experience with a NAEGA Members Personal Page. NAEGA Director of Operations Patrick Hayden is will assist you to setup and maintain your NAEGA Personal Page.

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